

## REMARKS

The present application has been reviewed in light of the Office Action dated November 13, 2007. Claims 1, 2, 4-9, 12, 13, 15, 16, and 18-22 are presented for examination, of which Claims 1 and 18 are in independent form. Claims 10, 11, 14, and 17 have been canceled without prejudice or disclaimer of the subject matter presented therein. Claims 1, 7, 8, 13, and 16 have been amended to define still more clearly what Applicants regard as their invention. Claims 18-22 have been added to provide Applicants with a more complete scope of protection. Favorable reconsideration is respectfully requested.

The Examiner is thanked for the courtesies extended during the personal interviews held on November 28, 2007 and April 9, 2008 to discuss the Requirement for Information under 37 C.F.R. § 1.105 in the outstanding Office Action. During the interview of November 28, 2007, the Examiner indicated that the shortened statutory period of 2 months for responding to the outstanding Requirement for Information should be disregarded, and that the time period for responding to the Requirement for Information coincides with the time period for responding to the outstanding Office Action. The interview of April 9, 2008 and Applicants' response to the Requirement for Information is discussed below.

The Requirement for Information requests information related to American Express's Ticket TRAX system discussed in the publications entitled "American Express Expands RoundTrip Services With Array of New Products and Services," Business Wire, July 15, 1997 (hereinafter "*Business Wire*"), and "AMERICAN EXPRESS Ticket TRAX service launches for American Express business

travel clients,” M2 Presswire, March 12, 1999 (hereinafter “*M2 Presswire*”). During the interview of April 9, 2008, the undersigned provided the following articles to address the Requirement for Information: an American Express News Release entitled “AMERICAN EXPRESS EXPANDS AUTOMATED TRACKING AND REFUNDING OF UNUSED ELECTRONIC AIR TICKETS GLOBALLY,” August 11, 2003 (hereinafter “*American Express News Release*”), and a New York Times article entitled “ON THE ROAD; A Business Changed, Perhaps Permanently,” July 16, 2002, by Joe Sharkey (hereinafter “*Sharkey*”).

The undersigned indicated that the Ticket Trax system described in *Business Wire* and *M2 Presswire* is distinct from the claimed invention. As described in both *American Express News Release* and *Sharkey*, tickets can be categorized as being refundable or non-refundable. Refundable tickets generally refer to tickets that are fully refundable and unrestricted. While non-refundable tickets generally refer to tickets that are not fully refundable and not unrestricted. The Ticket TRAX system discussed in *Business Wire* and *M2 Presswire* is equipped to handle refundable tickets but not non-refundable tickets. In 2002, American Express launched Ticket TRAX NR (NR meaning “non-refundable”) to handle non-refundable tickets that the Ticket TRAX system described in *Business Wire* and *M2 Presswire* did not handle. See *American Express News Release* page 2, fourth full paragraph.

In view of the above discussion, the Examiner indicated that the *American Express News Release* and *Sharkey* articles address the scope of the Requirement for Information in full. Accordingly, it is believed that Applicants have properly responded to the outstanding Requirement for Information under 37 C.F.R. § 1.105.

The Office Action rejected Claims 1, 2, 4, 5, 7, and 9-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,050,986 (*Vance et al.*), hereinafter “*Vance*,” in view of *Business Wire*; and rejected Claims 6, 8, and 12-17 under § 103(a) as being unpatentable over *Vance*, in view of *Business Wire*, and further in view of *M2 Presswire*. Applicants respectfully traverse these rejections and submit that independent Claim 1 and added independent Claim 18, together with the claims dependent therefrom, are patentably distinct from the cited art for at least the following reasons.

Amended independent Claim 1 recites, in part, “if all or a portion of [a] ticket has not been used, . . . comparing information in an invoice table and a central reservation system database to determine at least one of a use of the ticket and a change to the ticket; calculating a residual value of the ticket based on a contract term associated with the ticket and any changes to the ticket or partial use of the ticket; . . . comparing the residual value to a minimum threshold for presenting a ticket redemption offer to a client” (emphasis added). By virtue of these features, the claimed invention allows unused portions of restricted tickets to be redeemed when a minimum threshold for presenting offers is met. The cited art fails to teach or reasonably suggest these features.

*Vance* relates to a system for corporate travel planning, expense reporting, and travel management (*See Vance Abstract*). *Vance* appears to teach a “ticket tracking process 312 [that] reports on the status of any given ticket, lists tickets older than a given number of days that have not appeared on an expense report or been refunded or voided, lists tickets returned for refund which have not been credited, and reports unrefunded tickets or miscellaneous change orders available for exchange.” *Vance* Col. 10, lines 31-37. As best understood by Applicants, *Vance* fails to contemplate contract terms in any

form, let alone “calculating a residual value of the ticket based on a contract term associated with the ticket and any changes to the ticket or partial use of the ticket,” as recited by Claim 1. *Vance* also fails to “compar[e] the residual value to a minimum threshold for presenting a ticket redemption offer to a client,” as recited by Claim 1.

*Business Wire* and *M2 Presswire* both fail to cure the deficiencies identified above with regard to *Vance*. As discussed above, the Ticket TRAX system described in *Business Wire* and *M2 Presswire* is equipped to handle fully refundable tickets but not non-refundable tickets with restrictions. *See American Express News Release* page 2, fourth full paragraph. The Ticket TRAX system of *Business Wire* and *M2 Presswire* fails to address the claimed features relating to non-refundable tickets such as “calculating a residual value of the ticket based on a contract term associated with the ticket and any changes to the ticket or partial use of the ticket,” as recited by Claim 1.

For at least these reasons, Applicants submit that the Office cannot sufficiently establish a *prima facie* case of obviousness against amended Claim 1, and that the proposed combination of *Vance*, *Business Wire*, and *M2 Presswire*, even if deemed legally permissible or technically feasible, would fail to arrive at the automated redemption method of Claim 1 supporting the redemption of restricted (*i.e.*, non-refundable) tickets. Accordingly, the rejection under 35 U.S.C § 103(a) is deemed obviated, and its withdrawal is respectfully requested.

Independent Claim 18 includes features similar to that discussed above with respect to Claim 1. Therefore, that claim is also believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim also is deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

Applicants have submitted an Information Disclosure Statement (IDS) herewith.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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